

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

FIRST HOME BANK,

Plaintiff,

v.

CASE NO. 8:21-cv-2922-WFJ-TGW

CLIMAX AKAUSHI FARM LLC,
HAINES FARM OPERATING LLC
JOSEPH PASQUALONE,
SCHOENBORN ASSOCIATES, INC.,
SCHNARE FARM OPERATING LLC,
and BETTER DESIGNS INC.,

Defendants.

_____ /

ORDER GRANTING FINAL DEFAULT JUDGMENT

Before the Court is Plaintiff's motion for default final judgment against all Defendants, a declaration, exhibits including the promissory note, and other submissions in support of the damages sought. Dkt. 20. After careful consideration, the Court concludes the motion should be granted consistent with this order.

All Defendants, through counsel, accepted service of the summons and complaint. Dkt. 20-1. Because they failed to plead or otherwise defend, a clerk's default was entered against each of the Defendants on March 15, 2022. Dkts. 21–17.

Plaintiff met the pleading requirements in its complaint. *See Chudasma v. Mazda-Motor Corp.*, 123 F.3d 1353, 1370 n. 41 (11th Cir. 1997). Defendants are deemed to have admitted liability on the well-pleaded allegations of fact in the complaint. *Buchanon v. Bowman*, 820 F.2d 359, 361 (11th Cir. 1987). Damages may be awarded without a hearing if the amount is a liquidated sum or capable of mathematical calculation. *See* Fed. R. Civ. P. 55(b)(1); *SEC v. Smyth*, 420 F.3d 1125, 1231 (11th Cir. 2005) (citing cases). The Court finds Plaintiff is entitled to compensatory damages, which are a sum certain.

As of March 17, 2022, the total amount due under the note is \$1,752,053.31 itemized as follows:

Principal	\$1,616,066.85
Interest (as of 3/17/2022 at \$265.65 <i>per diem</i>)	\$131,484.70
Site Inspection Expenses	\$270.00
Appraisal Fee Expenses	\$3,750.00
Flood Insurance Expense	\$481.76
Total Amount Due:	\$1,752,053.31

Dkt. 20 at 7; Dkt. 20-2 ¶28.

It is therefore **ORDERED AND ADJUDGED** as follows:

1. Plaintiff's Motion for Default Final Judgment (Dkt. 20) is granted.

2. Plaintiff is directed to file a separate motion for attorney's fees with supporting evidence and a proposed bill of costs within fourteen (14) days.

3. Plaintiff is awarded monetary damages of \$1,752,053.31.

4. The Clerk is directed to enter a final default judgment in favor of Plaintiff and against Defendants Climax Akaushi Farm LLC, Haines Farm Operating LLC, Joseph Pasqualone, Schoenborn Associates, Inc., Schnare Farm Operating LLC, and Better Designs Inc. in the amount set forth in paragraph 3 above, together with post-judgment interest to accrue at the legal rate. The Clerk is directed to terminate any pending motions and deadlines and close the case.

DONE AND ORDERED at Tampa, Florida, on March 31, 2022.



WILLIAM F. JUNG
UNITED STATES DISTRICT JUDGE

COPIES FURNISHED TO:
Counsel of record